



Honorable Linda B. Riegle  
United States Bankruptcy Judge



Entered on Docket  
December 19, 2011

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER GRANTING USACM  
TRUST'S MOTION TO AMEND  
COURT'S ORDER SUSTAINING  
OMNIBUS OBJECTIONS RE: THE  
CABERNET HIGHLANDS, LLC  
LOAN**

**Hearing Date: November 15, 2011  
Hearing Time: 9:30 a.m.**

The Court having considered the USACM Liquidating Trust's Motion To Amend Court's Order Sustaining Third Omnibus Objections Re Cabernet Highlands, LLC Loan (The "Motion") [DE 9418] at the hearing held on November 15, 2011. Appropriate notice of the Motion having been given, no responses having been filed, and good cause appearing:



**IT IS ORDERED:**

1. The Motion [DE 9418] is granted, and Exhibit A to the Court's Order Sustaining Third Omnibus Objection of USACM Trust to Proofs of Claim re Cabernet Highlands LLC Loan [DE 9490] is amended as follows with regard to the claims listed below:

- a. Proof of Claim No. 10725-00162 filed by Chiapetta Trust Dated 4/1/03 is allowed in the amount of \$0.00;
- b. Proof of Claim No. 10725-02011 in the amount of \$100,000.00 filed by G&L Trust Dated 11/25/91, is allowed in the amount of \$20,000.00 (20%) and disallowed in the amount of \$80,000.00 (80%); and
- c. Proof of Claim No. 10725-01510 filed by Dovanidis & Dimitra Panagiotis is allowed in the amount of \$0.00.

PREPARED AND RESPECTFULLY SUBMITTED BY:

**LEWIS AND ROCA LLP**

By /s/ John Hinderaker (AZ #018024)

Robert M. Charles, Jr.

John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

xxxx No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

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